IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 1045 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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NARENDRABHAI RAVJIBHAI PATEL - Petitioner(s)

Versus

STATE OF GUJARAT & 3 - Respondent(s)

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Appearance :

MR LAXMANBHAI A AMAR for Petitioner(s) : 1,
MS. ARCHNA RAVAL, ASST. GOVERNMENT PLEADER for Respondent(s) : 1,
None for Respondent(s) : 2 - 4.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 23/01/2006

ORAL JUDGMENT

1.By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for an appropriate writ, direction or order for quashing and

setting aside the order passed by the District Supply Officer, Valsad dated 27.10.1994 by which the application submitted by the petitioner to allot fair price shop at village Zari, Taluka Vansada came to be filed.

2. It is required to be noted that the petitioner is challenging the said order of the year 1994 by way of the present Special Civil Application in the year 2005-2006 and there is no explanation whatsoever for such a delay and even in the meantime, the fair price shop at village Zari, Taluka Vansada has already been allotted to other co-operative society and therefore, the present Special Civil Application is required to be dismissed on the ground of delay and laches only.

3. Under the circumstances, the present Special Civil Application is dismissed as the same is filed after the period of long delay i.e. after the period of almost 10 years of the impugned communication/order.

(M.R.SHAH, J.)

kdc.